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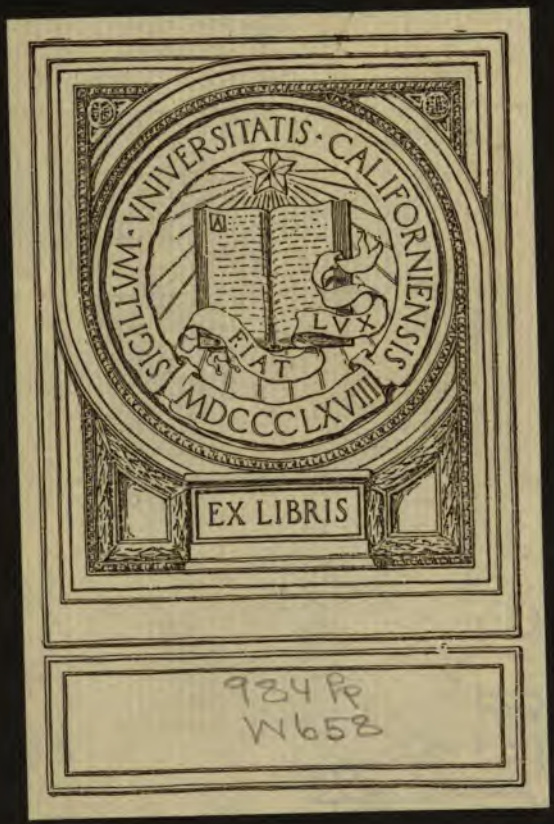
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—*Hon. Elihu Root, in address before the New York State Bar Association, Hotel Astor, New York, January 15th, 1916.*

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PREFACE

MOST writers, in viewing the question of Prohibition, have followed along a beaten track. They have confined themselves generally to consideration of moral, economic, and religious phases of the subject.

While I have not entirely ignored these phases, I have chiefly engaged in the task of pointing out a particular phase that it appears to me entirely outweighs all others put together; namely, that of the effect of Prohibition, in its ultimate and practical workings, upon the political—the structure of American civil government.

I have endeavored to steer clear of its professions and obsessions, all of which can be of little consequence in the light of my contention that the major matter with which Prohibition is concerned is the capture and overturning of our present system of jurisprudence; and that the danger threatening from this tendency is real and foreboding I have conscientiously tried to make clear in these pages.

That National Prohibition is an approaching enemy to free government, of which the people should be warned even at the risk of being grossly misunderstood, is my opinion. From the watch-towers of American liberty the warning should go forth. For my own part, I feel well-repaid with the conscientious effort I have made in "The Menace of Prohibition."

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We hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness.—*The Declaration of Independence.*

John Stuart Mill defines Prohibition in this language:

"Prohibition: A theory of 'social rights' which is nothing short of this—that it is the absolute right of every individual that every other individual shall act in every respect exactly as he ought; that whosoever fails thereof in the smallest particular violates my social rights and entitles me to demand from the legislature the removal of the grievance. So monstrous a principle is far more dangerous than any single interference with liberty;— there is no violation of liberty which it would not justify."

And in the light of the last sentence, "so monstrous a principle is far more dangerous than any single interference with liberty;— there is no violation of liberty which it would not justify," the writer would especially examine this modern crusaders movement for Prohibition. Many other writers have viewed the question from sociological, economic, and religious standpoints; but the **principle** of the thing,— that in which it is based — a "monstrous" principle, which, as Mill says, **"is far more dangerous than any single interference with liberty,"** deserves more serious consideration than any other phase of the question: a principle, in fact, of intolerant coercion as against the great principle of individual liberty

so thoroughly established as the inherent right of the citizen at the very inception of this government in the Western world.

To do justice to this particular phase of the question of Prohibition — a principle so dangerous and "monstrous" that there is "no violation of liberty which it would not justify" — it is necessary to be courageous, honest, unafraid, and not "soaked to the pulp in the pseudo-puritanical, moral antiseptic bath of conventional prejudices." Here in America we have had enough of base misrepresentation, rotten hypocrisy, and sugar-coated sentimentality. What we really need now is honesty of purpose and courage of conviction, let the criticizing mob be of "the upper ten thousand or lower," it matters not.

A False Principle

What Is the Real Menace of Prohibition?

It is the false **principle** from which it derives its life and being. "We are the good people," say the moral reformers: "you are the bad; therefore it is the duty of the good people to seek control of the government and to enact laws that will make you bad people good." The platform of the Prohibition Party of Ohio states it in a different way, but in essence it is the same thing:

"The Prohibition Party of Ohio . . . recognizing Almighty God, revealed in Jesus Christ, and accepting the law of God as the ultimate standard of right . . . the referendum in all matters of legislation not distinctively moral."

In this scheme of government, as it is plainly revealed, "the law of God" as it would be **interpreted** by the Prohibitionists, would be the supreme standard of all matters distinctively moral, and the initiative and ref-

erendum would be relied upon, and allowed in all matters of legislation "**not** distinctively moral."

This was exactly what happened in the Dark Ages and early New England: "good people" sought and secured the control of the government, "the law of God" was made "the ultimate standard of right" as interpreted by the "good people" in power, and the "bad people" were put to the torture.

As the result of just such a scheme, barbaric practices reigned in the name of law: thumb-screw and rack were brought into requisition, Calvin burned Servetus, Quakers were hanged and witches burned, Roger Williams banished, and Mary Dyer hung by the neck until she was dead,— and all because "Almighty God, revealed in Jesus Christ," was recognized in government, and "the law of God" made the ultimate standard of right.

But between "Almighty God" and "the law of God" there always stood the interpreter of that law, and the bigoted, blinded, fanatical follower of Creed who mistook his creed for God, and his **will** and **opinion** for the law of God. Had God and His law been left alone, no possible harm could have resulted.

Under this scheme of religious and moral government, Jews, agnostics, and non-Christian elements, and even Christians that do not acquiesce in the scheme, have no recognition; and under the administration of the moral reform element would have no place in the country, except on sufferance! And just what would happen to people who repudiated a church-and-state system of government like this! Let us see:

The Prohibitionist invariably argues that "the God of the Bible" authorizes Prohibition in civil government; it is religious, and a Bible doctrine, he contends, and therefore should receive recognition not only by the people, but by the government as well; and all who cannot,

whether from conscientious scruples or other reasons, agree with them, are opponents of "the God of the Bible," of true religion, and of government. Very frequently the charge of "anarchist" is hurled against those who cannot agree with them, and ofttimes the most unscrupulous and un-Christian methods are resorted to, to crush out all opposition. And what the opponents of Prohibition might expect, if Prohibition ever reaches the zenith of political power, may be determined from a statement by Rev. E. B. Graham, in a speech made at York, Neb. He said:

"We might add, in all justice, if the opponents of the Bible do not like our government and its Christian features, let them go to some wild and desolate land, and in the name of the devil and for the sake of the devil, subdue it, and set up a government of their own on infidel and atheistic ideas; and then if they can stand it, stay there till they die."

The foregoing, at least, shows some of the Christian features (?) of the program of the Reform party. The program winds up with the banishment of the minority to some wild and desolate land where they may remain until they die! The trouble is, if liberty-loving citizens of the United States, jealous of their rights and constitutional guaranties and determined to preserve them even to the point of quitting their beloved country, should go to some wild and desolate land, and set up a government where they could enjoy religious and personal freedom, it would not satisfy the Prohibition moral-reform forces. All past history shows that they would follow to the wild and desolate land, and destroy, if possible, every vestige of such government as was opposed to their narrow and intolerant ideas!

Political Power the Object

The initiative and referendum is good enough for the Prohibition Party when applied to "all matters of legislation not distinctively moral;" but when morals are involved, "the law of God" only is binding, and the initiative and referendum is repudiated. Their **interpretation** of the demands of "the law of God"— not actually the law itself — would become the supreme law of the land, and all the power of the government, in their hands, would be set to enforcing it. Need it be said that this would be repeating the history of the Dark Ages and Medieval times in the most accurate detail!

Mr. Eugene W. Chafin, Prohibition candidate for president, in 1912, said:

"I don't want any person who claims to be a party Prohibitionist — a middle-of-the-road Prohibitionist — ever to sign another petition, or ask Congress or any legislature anywhere under the American flag to pass any prohibitive laws on the liquor question. We don't want any laws of any kind whatever passed. **All we want is to be elected to power.** . . . Elect us to power, and we will repeal a few laws and do the rest by **interpretation** of the constitution and **administration** of the government."

Mr. Ferdinand Cowle Inglehart, N. Y., Supt., of the Anti-Saloon League, in the **Review of Reviews,** February, 1915, page 216, said:

"The pastors and members of the churches turned the State (Oregon) into **an organized political camp.**"

This was indeed a frank confession upon the part of Mr. Inglehart. He might have truthfully added that it was the Anti-Saloon League which was the moving spirit that invaded the churches and spurred on the "pastors and members of the churches" to turn the sovereign

State of Oregon into **"an organized political camp."** A political camp is, beyond question, organized for political ends. Prohibition in Oregon, as elsewhere, was the "Cheshire cheese," and political power the goal of its ambition. And now in Oregon, as elsewhere, we shall hear the cry: "Now that we have Prohibition, we must fill the public offices with 'good men' to enforce the law: 'turn the rascals out' and put good men in office"; and, of course, "good men" must be Prohibitionists always. None others need apply. Oh, it is a fine scheme; but unfortunately, it takes no cognizance of the **minority**—those who are quite equal in American citizenship, and who lose none of their civil rights by virtue of their being the **minority.**

Political Activities at Washington

Mr. L. Ames Brown, in "Prohibition and Politics," published in the **North American Review** of December, 1915, points to some of the features of the Anti-Saloon League programme, in the nationalization of prohibition — a very interesting and valuable contribution upon the subject. Very accurately — and apparently without any prejudices — Mr. Brown shows the workings of the Prohibitionists in the political.

He calls attention to the Prohibition rider in the District of Columbia Appropriation Bill, "an amendment to the District Bill to foist prohibition upon the people of the District without a referendum," and continuing, says:

"The Prohibitionists, with one or two exceptions, refused to listen to suggestions that the legislation be submitted to a vote of the District of Columbia, thus disregarding the principle of self-government which they had agitated so vigorously in local option campaigns."

In this attempt to force the people of the District to submit to their dictation, and to keep them from voting upon the measure, the Prohibitionists showed clearly that they were **without regard for the sentiment of the people to be affected.** This was evidently one of those "distinctively moral" questions upon which the people are not supposed to vote — or at least are not to be allowed to vote, if the Prohibitionists can have their way — but in this act at the seat of government, they have, indeed, given proof of their absolute disregard for the principle of self-government which they prate so much about in local option campaigns. They have shown to what lengths they would go, if they could.

Mr. Brown is authority for the statement that had this District Bill gone to President Wilson without a provision for a **referendum,** he would have immediately vetoed it.

According to Mr. Brown, the Anti-Saloon League is strongly intrenched at Washington. He says that it "maintains at Washington one of the most powerful lobbies ever seen at the National Capital," and regarding its influence upon the nation's law-makers he has this to say:

"Its representatives, backed by an organized influence of public opinion, are enabled to dictate the attitude of a considerable number of Congressmen on a pending question, with the result that Congressmen oftentimes are driven to vote against their own views and their own consciencies in favor of measures advocated by the lobby."

"Mr. Brown gives a very lucid account of the bold and defiant activities of the powerful Anti-Saloon League lobby at Washington — and as to the results, he has this to say:

"The harmful effect of such a lobbying enterprise

upon our system of government does not admit of controversy."

Mr. Brown is convincing to the reader in his conclusions of "Prohibition and Politics" which, to sum up, may be stated as — **A GROWING AND INSIDIOUS POWER IN THE POLITICAL REALM, INIMICAL TO THE AMERICAN INSTITUTIONS OF GOVERNMENT.** And if a rapidly growing power, which was practically unknown a decade ago, is so great in politics and government today, what may we expect a decade hence!

The Prohibition movement then, unquestionably, is simply a means to an end,—the stepping-stone to political power,—the pathway to the goal of political ambition; and it seems only fair to presume that all the hue and cry over drunkenness and the inability of some men to control their natural appetites is, after all, only a minor matter; but the question of seizing the political power, and filling governmental offices only with "good men" is the major matter. And the real issue, power to rule and to enjoy the emoluments of public office. And the real menace, the overturning of the present system of government wherein the privileges and rights of the individual are safeguarded, and the setting up of a new standard of authority, namely, "the law of God" as interpreted by the Prohibitionists and moral reformers. **And it is the interpretation that is to be feared!**

The remotest possibility of the success of such an unjust, un-American, illiberal and dangerous form of tyranny in government, should alarm the American people beyond and above every other question, even that of war; and should set them to the task of a close analysis of the subject and trend of Prohibition.

When the true American finds that as a result of the outgrowths of the "monstrous principle," and under

rapidly multiplying laws and regulations, he is forbidden to dispose of his property as he pleases; forbidden to amuse himself as he pleases on holidays; forbidden to read what books he pleases and to look at what pictures he pleases; to dress, think and drink as he pleases, he will set his face like a flint against the tyrannical and inquisitorial demands of the modern Crusaders, and he will attempt to halt their inroads and innovations on the government. The ballot-box is his opportunity. There he may register his disapprobation, and put a curb on the restless, uneasy, political charlatan who, under the guise of moral reform, would seize the machinery of political government and make it an engine of tyranny and oppression.

It must be kept in mind that the clerical politicians of the Prohibition party (no distinction can be made between the Prohibition Party and the Anti-Saloon League: they are one and the same in intent and purpose) are interested not merely in the enactment of prohibitory liquor laws. They want laws prohibiting everything that does not conform to their interpretation of theological dogmas.

Prohibition and Sunday Laws

They are as determined to secure compulsory Sabbath Day observance laws as they are to obtain Prohibition laws; and wherever and whenever you find a movement for one, you invariably find, sooner or later, a demand for the other. Prohibition and Sunday laws go hand in hand. In fact, they result from the same cause — the desire to control individuals; the application in civil law of the fallacious theory that it is "the social right of every individual that every other individual shall act in every respect exactly as he ought to act." Noth-

ing is further from the truth of the principle of free and popular government, and nothing so destructive of the rights and privileges of man.

Sunday laws can find no justification except in a church-and-state system of government which essays to establish a practice grounded in religious belief; to fix upon a particular rest-day, and say to individuals how they shall observe that day. A compulsory law for Sunday or Sabbath observance is equivalent to a law for compulsory baptism, or compulsory church service, or the support of the church: in like manner, sumptuary laws that determine what one may not drink, may extend to defining what one may eat, ***ad infinitum,*** until a thousand and one articles of food and drink are "unlawful"—articles of diet and consumption that to a large proportion of the citizens may seem harmless, if not, indeed, beneficial. The Sabbath law says to you what you must religiously do; and if it may extend to the observance **of a day,** it may extend to **all** religious duties and practices without exception: the Prohibition law tells you what you may not **drink,** and if it presumes the right to prescribe in the matter of drink, it may extend to the matter of determining what is fit, and what is not fit, **to eat** — and it could continue until a Dietary List and a Fashion Plate had been fixed by legal enactment. It is not difficult to see that the Sunday law and Prohibition are quite identical in character; the source of their origin must be the same: at least, it is plain that their introduction and operation **in civil government** is destructive of personal freedom and choice.

Sumptuary Laws Increasing

These restrictions by law are eternally increasing, so that it has become almost impossible for a citizen of

the republic to live a single day without violating one or more laws. In almost every relation of life the conduct of the American is minutely regulated.

Many of these restrictions are founded upon a muddled conception of the public good: their aim would seem to be to protect the innocent bystander. But we cannot see how the innocent bystander profits, when the free citizen is forbidden to go fishing on Sunday, to smoke in public, to see certain plays, to get Anthony Comstock reports and the Kreutzer Sonata through the mails; to say in public just what he wants to say — to exercise freedom of speech; to kiss his girl in the parks, or a woman to wear abbreviated skirts,—***ad libitum!***

These prohibitions burden the individual without conferring any appreciable advantage upon the mass, or even upon other individuals. The struggle between two wholly different theories of life — the Puritanical spirit on one hand, and the Liberal spirit on the other — is on, and it is becoming fiercer every day. Said Congressman Richard Bartholdt, in a speech made in the House of Representatives:

"The attempts to further and further restrict our liberties in a Puritan sense are carried on in the garb of a religious movement, and the ministers of all churches and the members of all congregations are constantly called upon for support and money to maintain lobbies in both the national and state capitals; and these lobbyists are cracking the whip over our lawmakers, and are urging them to pass more and more restrictive laws,— laws which in their mistaken zeal, they believe will make people good. I do not exaggerate, my friends, when I say that if this movement is not stopped, and stopped soon, the American people before long will find themselves wrapped up in a network of 'don't's' which will completely hamper their freedom of action; and instead

of being freemen in all matters of personal conduct, they will be slaves fettered by the chains of un-American laws.

"Permit me, in this connection, to call attention to a most remarkable fact; namely, that the people in many cases **actually vote to enslave themselves.** History tells us of despots who kept their subjects in perpetual serfdom, and of rulers who robbed the people of their freedom; but there is no case on record, so far as we know, where the people of their own volition and by their own votes robbed themselves of their own birthright. The United States is the first example of this kind. The history of the human race is **a constant struggle for liberty,** and every concession wrung from the oppressors was heralded as a new triumph of progress and civilization. Here we have the example of a generation which, though being free, **voluntarily surrenders its social liberty and forges with its own hands the fetters of slavery.** Now, can you account for that? Is it because we do not sufficiently appreciate our heritage on the theory that what you inherit and what comes to you easily you do not value as what you have to fight for yourselves? Or is it because the people do not fully realize just what they are doing **by joining forces with those who are conspiring against their highest interests?** I leave these questions for you to answer. Perhaps we are guilty on both counts."

If the writer were to answer these questions, she would be constrained to say that the last count is the strongest count: the people do not realize what they are doing **by joining forces with those who are conspiring against their highest interests.** The average American has become a chronic joiner. He does not stand for something: he must belong to something. The Prohibition movement comes along and appeals to his senti-

mental and emotional nature. He has been schooled to depend largely on sentiment, and trained to march with the crowd. To act as a responsible unit has been practically impossible. He has never thought upon the question deeply; he has been part of a muddled mass of humanity, thinking as the mass thought and acting as they acted: he has not been the soul-free individual he imagined himself to be; his acts and opinions have been nothing more than weak reflections of the opinions and acts of the muddled mass. He joins the Prohibition forces, and thereafter thinks less than before, because, being joined to something, he can safely trust to that something — the organized mass which, in turn, thinks and acts just as a few self-appointed and ambitious leaders think and act. There is no more for him to do now than to walk up to the polls and vote precisely as he is bidden to do. He has become a real automaton.

And he does not once realize that he has **joined forces with those who are conspiring against his highest interests.** He helps to pass a law that takes away his neighbor's rights and privileges, and does not dream that in so doing he is taking away his own rights and constitutional guaranties, and as surely undermining the fabric of our free institutions and thereby hastening national decay and national ruin.

A Dangerous Combination

Prohibitionists, once they are seated upon the throne of civil power, do not intend to stop at the passage of laws prohibiting the liquor traffic. As has already been stated, they are fully as interested in securing compulsory Sabbath observance laws, and in fact, as stated at the *Inter-Church Conference in New York City in 1905, "to secure a larger combined influence for the churches

*Inter-church Conference was the beginning of the National Federation of the Churches, which maintains a Prohibition department and is committed to the programme of Prohibition.

of Christ in **all matters** affecting the **moral** and **social** conditions of the people, so as to promote the application of the law of Christ **in every relation of human life.**" This, indeed, means a wide range of activities, and the individual citizen may well enquire, and with apprehension, as to just how far this **combined influence** is to go in its invasion of **"every relation of human life."** If it actually means what it says, and proposes to invade "every relation of human life" with a string of laws and regulations as complex and as multitudinous as the relations of human lives, the student of political government, if not the citizen, may ask of this gigantic combination of the so-called moral forces of the country: **what will be the ultimatum? Where will it all end? What is to become of the unit of citizenship?**

"Straws show which way the wind is blowing," is an old saying. In this connection, the following article — a portion of an editorial — that appeared in the **Sacramento (Cal.) Bee,** Oct. 7, 1915, is both interesting and significant:

> As a further example of the intolerant, domineering and narrow-minded tendencies of the prohibitionists, witness this communication recently published by the New York Evening Sun, signed "Herman Trent, of the Anti-Saloon League," and dated at Englewood, New Jersey:
>
> "Speaking now in my personal capacity, and not as a member of the Anti-Saloon League, I will say I regard the anti-liquor crusade **as merely the beginning of a much larger movement**—a movement that will have as its watchword 'Efficiency in Government.'
>
> "If I had my way I would not only close up the saloons and the race-tracks. I would close all tobacco shops, confectionery stores, delicatessen shops

and other places where gastronomic deviltries are purveyed—all low theatres and bathing beaches.

"I would forbid the selling of gambling devices such as playing cards, dice, checkers and chess sets; I would forbid the holding of socialistic, anarchistic and atheistic meetings; I would abolish the sale of tea and coffee, and I would forbid the making or sale of pastry, pie, cake and such like trash."

This at least is consistent. And Mr. Trent is startlingly frank in thus boldly publishing his programme. In a lecture work extending to all parts of this country and for a quarter of a century of time, I have found a great many Herman Trents, and I fear they are increasing, and I know they are becoming emboldened. After all, are we so far removed from the blue-law regime of early New England? Be certain of one thing: **today, we would see just such a regime except for a due regard for the Constitution and a minimum majority of votes.**

As to compulsory Sabbath observance by civil law, we have the recommendation of the general assembly of the Presbyterian Church, held in Chicago recently. The resolutions of this national church body were as follows:

"That the general assembly reiterates its strong and emphatic disapproval of all secular uses of the Sabbath day, all games and sports, in civic life, and also in the army and navy, all unnecessary traveling and all excursions.

"That we most respectfully call attention of all public officials to the potent influence of their position on all moral questions, and the necessity of greater care on their part, proportioned to the exalted nature of their offices which they occupy, that they may strengthen rather than weaken by their influence public and private observance of the Lord's day.

"That the general assembly reiterates its emphatic condemnation of the Sunday newspaper, and urges the members of the Presbyterian church to refuse to subscribe for it or read it or advertise in it."

Here is a demand for blue laws, pure and simple. If any American citizen will read the history of the blue laws of Connecticut, and how Cotton Mather whipped the people through the streets of early New England towns for failure to attend Sunday services in the meeting-houses, he will think seriously before lending a helping hand to the work of re-inaugurating a social and civil system like that.

Prohibition and Sunday laws are so closely allied, so thoroughly interwoven in the acts and lives of our modern reformers, that I may venture to say that should the Prohibitionists ever gain complete political power in this country **we shall see rigid, intolerant Sunday laws in comparison to which those early blue laws of Connecticut would be a delicate shade.**

To doubt this, would be to refute the absolute facts that appear. A Prohibition nation would be, beyond every reasonable doubt, a religio-politico system of government in which every spark of the liberties of the people would be extinguished; and this because, as Mill says, "so monstrous a principle is far more dangerous than any single interference with liberty;—there is no violation of liberty which it would not justify."

Therefore, we conclude that the principle underlying and giving rise to Prohibition, should it obtain everywhere, would crush out every vestige of **individual liberty,** and its adherents would justify their course by the "monstrous principle"; namely, that "it is the absolute social right of every individual that every other individual shall act in every respect exactly as he ought to act." Prohibitionists must necessarily stand for this "mon-

strous principle," and therefore, as certainly as two and two make four, **Prohibition is a menace to the American system of government.**

An Old-Time Fallacy

For many years the Prohibitionists have systematically promulgated the fallacy that the poverty of the working class is caused by drink. And this they continue to do in face of all the facts, amply proven by all available statistics, that flatly contradict the fallacy.

On the question of poverty and drink, the opinion of Francis E. Willard ought to be accepted by the Prohibitionists first of all. She says:

"For myself, twenty-three years of study and observation have convinced me that **poverty is the prime cause of intemperance,** and that misery is the mother and hereditary appetite the father of the drink hallucination. . . . For this reason I have become an advocate of such **a change in social conditions** as shall stamp out the disease of poverty even as medical science is stamping out leprosy, smallpox, and cholera; and I believe the age in which we live will yet be characterized as one of those dark, dismal, and damning ages when some people were so dead to the love of their kind that they left them in poverty without a heartache or a blush."

An editorial in the **New York World** some time ago contained the following significant statement:

"Only two families in every hundred of the 1575 which have been in the care of the Association for Improving the Condition of the Poor this summer were brought to poverty **through intemperance.** The percentage goes against preconceived notions and is, indeed, surprisingly small. It should disturb that prosperous

complacency which sees in poverty only or mainly the penalty for wanton misdeed. The Association's report for 1909 showed that intemperance, imprisonment, desertion, 'shiftlessness and inefficiency,' all told, accounted for not 12 per cent of those brought to want. The figures for that year showed that 65 per cent of the poverty was due to two causes — sickness and unemployment."

Carroll D. Wright, in the "Eighteenth Annual Report of the Commission of Labor," shows that only one-fourth of one per cent of all cases of non-employment in the United States is due to intemperance.

During the winter months of 1913-14, the number of unemployed men and women in the United States was appalling. New York, Chicago, San Francisco, and the large cities, were taxed to the utmost to care for the "jobless."

It was estimated that New York City had its quota of 400,000 idle, Chicago 200,000, San Francisco 30,000. Organized armies of the unemployed clamored for work and for bread, and in the country districts idle men were everywhere tramping to and fro in search of work. "THE UNEMPLOYED" was a standing headliner of the public press. Suicides from inability to find work were startlingly prevalent; and the whole country was perplexed as to how to adjust complex conditions so as to relieve untold suffering and misery.

Were the Prohibitionists on hand at that time with any sort of a program, solution or panacea for the difficulty? Not at all. All their efforts were reserved for election day; their energies stored up for the glad time when well-paid agitators travel the country in Pullman cars to tell the people of rural communities that "poverty is caused by drink."

Industrial Conditions Responsible

The fact of the matter is: that in the time when the situation of the unemployed is most aggravated — when it attracts nation-wide attention — singularly enough, no voice was raised, either by individuals, societies, labor organizations, or the press, publicly, attributing the abnormal and distressing conditions **to the drink habit.**

All these know better. They know, as the New York Association discovered by its investigation, that inability to find work, and sickness, has brought the great army of idle men and women to their plight. They know that our productive ability is increasing much more rapidly than our consumptive capacity, and that the statesmenship of this country as well as that of every other country in the world is grappling not with any merely individual or national, but with a world problem.

They know that in China, with its hundreds of millions of frugal, temperate, hard-toiling people; in Turkey, with its sober, industrious, Mahomet-worshiping masses; in India, with its almost countless thousands, governed by strict religious, moral and ethical codes,— the trouble is identical: **it is economic.** In the present industrial system of those lands, as well as our own, there is no longer work enough for all, not sufficient jobs for the number of toilers, and thus, necessarily and unfortunately, there must be the great bodies of the unemployed.

The trouble lies in the industrial and social system, and not in the individual primarily, whether he be Turk, Chinaman, Hindoo or Christian. All the statistics gathered from every available source will bear out the assertion that **the problem is economic,** and it is only unwise presumption that will even attempt to lay these distressing conditions and results to the drink habit.

But you may explode this popular fallacy of the prohibitionist into atoms, and he persistently gathers together the fragmentary portions of his fanciful theory, and comes back with the same old story and tells it in the same old way.

Perhaps he realizes that to allow its peaceful demise, means to leave Prohibition standing absolutely without a remedy for the problem of unemployment or the general industrial conditions of over-production. Then, having no practical remedy for intemperance, no remedy for the ills and troubles of the working-class, and no remedy for anything else, he should graciously step aside and make room for the real world-movements for improvement and progress along rational and practical lines of individual and national development.

He ought to realize that in the final analysis all evils are connected with life itself, for evil is not in things, but in men or women who abuse or misuse things. And he should recognize the patent truth that "you cannot legislate men by civil action into the performance of good and righteous deeds."

The Opinion of an Economist

Mr. J. B. Osborne, in "The Liquor Question — Political, Moral and Economic Phases," says:

"The abolition of poverty and better education for the masses, are the only remedies for the disease of alcoholism.

"Alcoholism, however, is not as prevalent as Mr. Chafin or the usual advocate of Prohibition would have you believe. United States reports for 1909 show the average number of deaths attributed to alcoholism to be only 2811; from scalds and burns, 6772; from drowning, 5387; from poison, 3390; from suicide, 5498; while killed

and maimed on railroads we have a total of about 18,000.

"Certainly no one would advocate the prohibition of water because 5000 people annually get drowned; nor the abolition of the railroads because 18,000 are killed and maimed annually.

"Thousands of workingmen lose their lives every year in the coal and lead mines, but no efforts are made by the prohibitionists to secure proper ventilation and inspection of the mines or safety appliances for the railroads. That the State has power to prohibit or abolish the legalized sale of liquor no intelligent person will deny. The State has power also to abolish the Church and transform its property into State property as was recently done in France under the direction of Premier Clemenceau.

"The action of the French government in this instance, however, did not reduce the amount of religion in France; on the contrary, it had the effect of making the lukewarm churchman more active and zealous in the church's cause.

"Under laws prohibiting the liquor business we find the same results. In the State of Maine, the oldest prohibition State in the Union, we find more arrests for drunkenness, in proportion to the population, than in any State where we have the licensed saloon.

"All Christian nations have for centuries accepted the prohibitory laws of the ten commandments such as 'Thou Shalt Not Kill,' and yet it is the same Christian nations that have the largest armies and navies, and that have been doing nearly all the killing for thousands of years; likewise, 'Thou shalt not steal,' while today the most respected citizens of every Christian nation in the world are, at the same time, the world's biggest robbers.

"The power of government is limited when it comes to controlling or regulating the thought of the individual,

nor is it in the province of government to say when, where, or what, citizens should eat, drink or wear. The wisest government would promote conditions under which the people would have plenty to eat, plenty to drink, plenty to wear and good houses to live in. What he should eat and drink as well as the amount and kind, or the color of the clothes he should wear, should be the function of the individual."

Effects of Prohibition

The effect of Prohibition, sumptuary law enacted in government, upon the political fabric of the government, should claim the serious attention of American citizens particularly. We can hardly recur to the consideration of this subject too often.

Prohibition is essentially a repressive measure, and all history shows that repressive measures, under ordinary conditions, not only fail, but worse than fail. In aiming to do away with one evil, Prohibitionists set up a vastly greater one. In our American political life the very worst political conditions may ensue.

Prohibition laws do not actually prohibit, as every one knows; but they do bring about a state of affairs, upon whatever scale attempted, abhorrent to every right-thinking person. As to some of the results, Professor Hugo Munsterberg, of Harvard University, says:

"Judges know how rapidly the value of the oath sinks in courts where violation of the prohibition laws is a frequent charge, and how habitual perjury becomes tolerated by respectable people. The city politicians know still better how closely blackmail and corruption hang together, in the social psychology, with the enforcement of laws that strike against the belief and traditions of wider circles. The public service becomes degraded,

the public conscience becomes dulled. And can there be any doubt that disregard of laws is the most dangerous psychological factor in our present-day American civilization."

And upon this question of the effectiveness of Prohibitory legislation, and the effects of such legislation on the moral life of the nation, the Committee of Fifty on the Physiological Aspects of the Liquor Problem in its exhaustive report published in 1905, said:

"There has been concurrent evil of prohibitory legislation. The efforts to enforce it during forty years have had some unlooked-for effects on public respect for courts, judicial proceedings, oaths and laws in general, and for officers of the law, legislators and public servants. . . . The public has seen law defied, a whole generation of habitual law-breakers schooled in evasion and shamelessness, courts ineffective through fluctuations of policy, delays, perjuries, negligencies and other miscarriages of justice, officers of the law double-faced and mercenary, legislators timid and insincere, candidates for office hypocritical and truckling, and office-holders unfaithful to pledges and public expectation. Through an agitation which has always had a moral end, **these immoralities have been developed and made conspicuous.**"

Representative Claude U. Stone, of Illinois, in the debate in Congress over the Hobson resolution for National Prohibition, said:

"There is State-wide prohibition in Maine, and the Webb-Kenyon law prevents the overriding of that law by other States, and yet there are cities in Maine that have more shops per capita for the public sale of liquor than my home city, which is the greatest distilling city in the world. In parts of Maine candidates for sheriff, who have the enforcing of the law, **cannot be elected to office if they do not give a public pledge that they will vio-**

late their oath of office and will not enforce the laws. The same can be said of Georgia, another prohibition State. It is for this reason that the people should be permitted to determine by their own votes the character of restraint that should be placed upon themselves."

In the same debate in Congress, Representative Julius Kahn, of California, remarked:

"Mr. Speaker, prohibition is not temperance. Temperance makes for human progress. It should be invoked in regard to our food, our drink, our dress, and even our physical exercise. As many people die from overeating as die from excessive use of alcohol. Excessive physical exercise has frequently led to heart failure and death. Temperance not alone in the use of alcohol, but temperance in everything that affects the human race, is what should be taught in the homes and schools of this country. Temperance harms no one, on the contrary, it does good. **Prohibition on the other hand, has generally resulted in making men liars, sneaks and hypocrites.** If men want liquor, they can invariably get it, and they can get it even in prohibition States."

The testimony is quite overwhelming: that Prohibition in government corrupts courts, encourages false oaths, intimidates legislators, causes public officials to be double-faced and mercenary; makes sneaks, liars and hypocrites out of men; increases bribery; opens the way for illegal traffic, and fosters an immoral negligence of law and order! And in addition to all this, it lessens drunkenness not a whit; but on the contrary, increases intemperance, making it more possible and perhaps more inviting to those unable to curb the appetite.

What an indictment is this of prohibition; and being true, it would seem these well-established and undeniable facts concerning the results of Prohibition would serve to convince the citizen who is governed by reason

and sound judgment rather than by sentiment and emotion, that Prohibition in its practical development **is a real menace to the American system of government!**

Collective Tyranny in Government

Left to impractical theorizing, Prohibition is harmless: allowed to enter the realm of civil government as a practical working force, it becomes dangerous, threatening not only one liberty, but all the liberties of the people. For in the principle of Prohibition lies the germ of collective tyranny from which may arise every species of intolerance and despotism — an intolerative principle as far removed from **the principle of American liberty** as heaven is from hell, and as different in every essential from the spirit of republican government — a true democracy — as the breath of the polar iceberg is different from the blaze of the equatorial sun!

Could the American public see Prohibition **as it is,** and not what it seems to be:— then this un-American and un-Christian movement would speedily be relegated to the shades of oblivion, and **real and effective reform along moral, social and intellectual lines would begin.** As it is, Prohibition actually stands, like a Chinese Wall, in the pathway of **real reform.**

Says Professor Munsterberg:

"The evils of drink exist, and to neglect their cure would be criminal; but to rush on to the conclusion that every vineyard ought, therefore, to be devastated is unworthy the logic of a self-governing nation."

The evils of gluttony also exist, and that more people die from direct and indirect causes arising from overeating than from drink will not be denied, yet who would propose a law to close the butcher shops, and prohibit the milling of fine flour and the importation of tea and coffee — higher medical and dietary authorities having decided all these latter to be injurious — in order to improve the physical condition of the people!

Compulsory Prohibition, according to Mr. Joseph Chamberlain, M.P., "only leads to drinking in worse forms than under the old system." Count Tolstoi, in speaking of the Prohibition movement in America ex-

pressed the belief that "the people in America seem to be tending in a wholly wrong direction in this matter." Justin McCarthy, M.P., alludes to Prohibition in the United States as a "gross and ludicrous imposture." President Andrew D. White refers to the theory and practice as regards the drink problem as "pernicious." Sir William Treloar, former Lord Mayor of London, calls these restrictive measures "ridiculous." Bishop Hall, of Vermont, asserts that "Prohibition drives underground the mischief which it seeks to cure."

Thousands of good, well-informed citizens of this country, high in public and social life, many of these leaders in religious sentiment and thought, are united in the belief that Prohibition begins at the wrong end of the matter, and they renounce it as not only weak, inefficient and impractical, but destructive to the American ideals. The art of self-control, public and scientific education, an understanding of hygienic and healthful living, proper social and economic development and surroundings: in these lie the true solution of the problem of intemperance; and not at all in sumptuary laws and prohibitory legislation, simply because these latter "put the cart before the horse," strike at effects and not at causes.

Prohibition Censorship Despotic

Let us not forget the principles for which our great American republic stands. Recollect, that the tendency toward imperial government and despotic rule is here today as it has been in every nation and in every age of the world. Menaces to the rights and privileges of the people are ever-present: the continued structure of safeguarding laws and constitutions presuppose the enemy to be ever near:— tyranny may slumber, but let bigotry and intolerance call ever so softly, and it springs into active life and being, and on every occasion, with consummate cunning, justifies its demands with a specious pretext — censorship for the good of the people.

Prohibition censorship is one of these specious pretexts; but censorship invariably arrogates to itself the

prerogatives of monarchy and the exactions of martial law. Government of an Emperor is as well as government by unreasoning, tyrannous **majority.** In government, middle ground is rarely found, and if it is, it is only for a temporary period and for reasons of expediency: it is a question of republic or empire, freedom or slavery, liberty or despotism, the life or death of the people! Censorship by **the majority** — as to what the individual shall eat, or drink, or wear, or religiously or irreligiously do or observe — is as hateful to the genuine American citizen as would be the censorship of **a Czar!** Censorship is dictatorial and despotic: it overrides American law and American ideals; it is the rule of a **suzerainty** in place of **fundamental government:** it claims to be acting **under** government, but it is actually acting **above** government. Censorship is not **freedom;** the very word itself precludes the view: censorship is **slavery,** intensified or modified; it is the same thing whether it be under American rulers or the Great Khan of Tartary. Prohibition censorship is only the **beginning:** it is not the end. Beneath it all, lie the claws of the tiger — the claws of fanatical bigotry and misrule — and ultimately, if not checked, the whole American people **will feel those claws.**

But then: IT WOULD BE TOO LATE!

Long ago John Quincy Adams sounded a timely warning. He said:

"Forget not, I pray you, the right of personal freedom: **self-government is the foundation of all our political and social institutions.** Seek not to enforce upon your brother **by legislative enactment** the virtue that he can possess **only** by the **dictates of his own conscience and the energy of his will."**

In conclusion: John Stuart Mill is right, when he says Prohibition is "so monstrous a principle" as to be "far more dangerous than any single interference with liberty"; a principle that there is **"no violation of liberty which it would not justify."**

All religious despotism commences by combination and influence, and as well-said by Col. Richard M. Johnson in his memorable U. S. Senate Report of 1829, "when

that influence begins to operate upon the political institutions of a country the civil power soon bends under it; and the catastrophe of other nations furnishes an awful warning of the consequence."

Will the people of this great nation listen to the siren voice of this modern destroyer of personal freedom, and cutting loose from ancient moorings, turn back to the hateful paths of despotism? Will the republic deny the sacred principles of religious and personal liberty, whose first purchase-price was the blood of the minutemen of Lexington? Or, like a political rock of Gibraltar, stand fast upon the fundamental principles of its being, continuing to safeguard and maintain the constitutional guaranties of all its citizens?

It is the American people that must answer these momentous questions! And answer them they will! There is no escape from the responsibility! **The future of the Republic rests upon their decision!**

It is the bounden duty of every American freeman to speak against, to write against, to vote against **the menace of Prohibition!**

PROHIBITION IS A MENACE TO

THE PROSPERITY OF THE COMMUNITY

THE PEACE AND TRANQUILLITY OF THE PEOPLE.

THE CONSTITUTIONAL LIBERTIES OF THE CITIZENS.

THE POLITICAL INSTITUTIONS OF THE LAND.

THE STABILITY OF THE REPUBLIC.

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